

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BLUEWATER MUSIC SERVICES
CORPORATION, et al.

Plaintiff(s),

v.

SPOTIFY USA INC.,

Defendant.

Case No. 3:17-cv-1051

District Judge Jon Phipps McCalla

Magistrate Judge Jeffrey S. Frensley

ROBERT GAUDIO, et al.

Plaintiff(s),

v.

SPOTIFY USA INC.,

Defendant.

Case No. 3:17-cv-1052

District Judge Jon Phipps McCalla

Magistrate Judge Jeffrey S. Frensley

A4V DIGITAL, INC., et al.

Plaintiff(s),

v.

SPOTIFY USA INC.,

Defendant.

Case No. 3:17-cv-1256

District Judge Jon Phipps McCalla

Magistrate Judge Jeffrey S. Frensley

**PLAINTIFFS' NOTICE OF FILING SEALED DOCUMENTS AND THE
DECLARATION OF SIDNEY P. BLUM**

Comes now Plaintiffs Bluewater Music Services Corporation, *et. al.*; Robert Gaudio, *et al.*; A4V Digital, Inc., *et. al.* hereinafter (collectively "Plaintiffs") and gives this Notice of Filing of Sealed Documents, the "Reports." Pursuant to the Court's Order during the telephonic hearing on April 17, 2019 and the minute entry in Case No. 3:17-cv-1052 entered on April 19, 2019, the Court ordered Plaintiffs to file Expert Reports and related documents. Plaintiffs will file under seal the Expert Reports of Bob Kohn, David Drews, William J. Roberts, Jr., and Sidney P. Blum (the "Expert Reports") submitted to Spotify USA, Inc. on February 27, 2019 in *Robert Gaudio, et al. v. Spotify USA, Inc.* Plaintiffs will additionally file under seal the Rebuttal Expert Reports of Bob Kohn, David Drews, and Sidney P. Blum (the "Rebuttal Expert Reports") submitted to Spotify USA, Inc. on April 10, 2019 in *Robert Gaudio, et al. v. Spotify USA, Inc.*

Plaintiffs also file the Declaration of Sidney P. Blum. Plaintiffs rely on the Declaration of Sidney P. Blum, the Reports filed herewith under seal, and the record as it stands in this case in support of Plaintiffs' Motion To Compel Further Responses To Plaintiffs' Third Set Of Requests For Production Of Documents and Supporting Memorandum of Law (Doc. 148-149).

Dated: April 19, 2019

Respectfully submitted,

By: /s/ Richard S. Busch
Richard S. Busch (TN BPR # 14594)
Joshua D. Wilson (TN BPR # 031486)
315 Union Street, Suite 1100
Nashville, Tennessee 37201
Telephone: 615-726-5422
Facsimile: 615-726-5417
rbusch@kingballow.com
jwilson@kingballow.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing Plaintiffs' Notice of Filing Sealed Documents and the Declaration of Sidney P. Blum has been served upon the following parties in this matter using the ECF system this 19th day of April, 2019. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt, including the following:

MILLER LEGAL PARTNERS PLLC

Samuel F. Miller (TN BPR #22936)

A. Grace Van Dyke James (TN BPR #35667)

Nicholas R. Valenti (TN BPR # 35420)

Fifth Third Center

424 Church Street, Suite 2000

Nashville, Tennessee 37219

Telephone: (615) 988-9011

Facsimile: (615) 988-9559

Email: smiller@millerlegalpartners.com

Email: gjames@millerlegalpartners.com

Email: nvalenti@millerlegalpartners.com

SIMPSON THACHER & BARTLETT LLP

Jeffrey E. Ostrow (CA #213118, Admitted Pro Hac Vice)

Harrison Frahn (CA #206822, Admitted Pro Hac Vice)

Michael Joshi (CA # 302184, Admitted Pro Hac Vice)

2475 Hanover Street

Palo Alto, California 94304

Telephone: (650) 251-5000

Facsimile: (212) 4552502

Email: jostrow@stblaw.com

Email: hfrahn@stblaw.com

Email: michael.joshi@stblaw.com

Christopher J. Sprigman (NY #CS7310, Admitted Pro Hac Vice)

Sarah Sheridan (NY #SS7628, Admitted Pro Hac Vice)

425 Lexington Avenue

New York, New York 10017

Telephone: (212) 455-7844

Facsimile: (212) 455-2502

Email: christopher.sprigman@stblaw.com

Email: sarah.sheridan@stblaw.com

SHACKLEFORD, BOWEN, MCKINLEY & NORTON, LLP

Jay S. Bowen (TN BPR #2649)

Lauren E. Kilgore, (TN BPR #30219)

47 Music Square East

Nashville, TN 37203

Telephone: 615-329-4440

Facsimile: 615-329-4485

Email: jbowen@shackelfordlaw.net

Email: lkilgore@shackelfordlaw.net

/s/ Richard S. Busch

Attorney for Plaintiffs